

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

SHAWNETTA SMALL and
HAIRTABULOUS, LLC,

Plaintiffs,

v.

POPLAR BLUFF REGIONAL MEDICAL
CENTER, et al.,

Defendant.

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No. 1:23-cv-00123-SNLJ

MEMORANDUM AND ORDER

This matter is before the Court on self-represented plaintiff Shawnetta Small’s application to proceed in the district court without prepaying fees or costs. Based on plaintiff’s financial information, the Court finds that plaintiff does not have sufficient funds to pay the filing fee and will waive the fee. *See* 28 U.S.C. § 1915. Furthermore, based on a review of the complaint, the Court will dismiss this action without prejudice.

Legal Standard on Initial Review

This Court is required to review a complaint filed without payment of the filing fee to determine whether summary dismissal is appropriate. *See* 28 U.S.C. § 1915(e). This Court must dismiss a complaint or any portion of it that is frivolous or fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2). An action is frivolous if it “lacks an arguable basis in either law or fact.” *Neitzke v. Williams*, 490 U.S. 319, 328 (1989). The term “‘frivolous,’ when applied to a complaint, embraces not only the inarguable legal conclusion, but also the fanciful factual allegation.” *Id.*

While federal courts should not dismiss an action commenced without payment of the filing fee if the facts alleged are merely unlikely, the court can properly dismiss such an action if the

allegations in the complaint are found to be “clearly baseless.” *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992) (citing *Neitzke*, 490 U.S. 319). Allegations are clearly baseless if they are “fanciful,” “fantastic,” or “delusional,” or if they “rise to the level of the irrational or the wholly incredible.” *Id.* An action fails to state a claim upon which relief may be granted if it does not plead “enough facts to state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

The Complaint

Plaintiff brings this 44-page civil action on a court-provided civil complaint form. Notably, she has not signed the document under penalty of perjury. She names as defendants Poplar Bluff Regional Medical Center, Courtenay Lee Miller, Tyronn Wise, Mariyah Baker, Erykah Baker, Orange Blossom Clinic, Megabus, Quinnetta Small, Krystal Clemons, Flix Bus, Aspire Health Partners, Beatriz Lolli, Community Health Systems, Inc., Poplar Bluff Sheriff, Poplar Bluff Police Department, Tra Rodriguez, Cassandra Unknown, Tabitha Miller, Fabrizio Diaz, Talissa Small, Mary Jane Quates, Ingrid Murphy, Bryan Quates, Roshanda Patterson, Melvisha Perry, Omar Montes, Rontia, Coalition for the Homeless, Angelina Unknown, Ms. Erica Unknown, Hannah Huffman, Henry Oniche, Andrea Durall, Cathy Lanin, Bakari Burns, Psychic Source, California Psychics, Ask Now, Pyramid of Enlightenment, Keen.com, Judy Perkins, Devereux Advanced Behavioral Health, Cassandra Bakarlis, and Ericka Baker.

Plaintiff’s allegations against defendants include human trafficking, witness tampering, beatings, threats, forced injections, breach of fiduciary duty, involuntary commitment, death threats, attempted murder, domestic violence, hate crimes, rape, terrorizing, torturing, armed kidnapping, theft of travel documents, sex trafficking, possible murder of a child, and theft of bus ticket. She states defendants were “involved in multiple attempts to murder Ms. Small and damage Ms. Small[’s] business and reputation. The defendant has committed multiple hate crimes against

Ms. Small. Also taking Ms. Smalls documents and raping Ms. Small. Also terrorizing torturing and armed kidnapping of Ms. Small.”

For damages, plaintiff seeks \$900 trillion dollars, which she calculates as \$600 trillion for emotional distress, \$200 trillion dollars for compensatory damages, and \$200 trillion for punitive damages.

Discussion

Liberally construed, plaintiff seeks damages from forty-four unrelated defendants for, among other things, human trafficking, murder, and rape from August 4, 2018 to August 25, 2018. Based on the little factual information plaintiff has provided, her allegations “rise to the level of the irrational or wholly incredible.” *Denton*, 504 U.S. at 33. The Court therefore finds that plaintiff’s allegations are clearly baseless as defined in *Denton*. The Court will therefore dismiss this action as frivolous and for failure to state a claim upon which relief may be granted.


Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for leave to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED**. A separate order of dismissal will accompany this order.

IT IS FURTHER ORDERED that plaintiff’s motion to appoint counsel [ECF No. 3] is **DENIED as moot**.

Dated this 26th day of October, 2023.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE